

Hearing Date and Time: To be determined.
Response Deadline: October 25, 2019
Reply Deadline: November 15, 2019

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, New York 10019
Tel: 212-373-3000
Fax: 212-757-3990
Andrew N. Rosenberg
Aidan Synnott
William A. Clareman

Counsel for the Ad Hoc Defendants

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PERFORADORA ORO NEGRO, S. DE R.L. DE C.V.,
et al.

Debtors in a Foreign Proceeding.

GONZALO GIL-WHITE, PERSONALLY AND IN
HIS CAPACITY AS FOREIGN REPRESENTATIVE
of PERFORADORA ORO NEGRO, S. DE R.L. DE
C.V. AND INTEGRADORA DE SERVICIOS
PETROLEROS ORO NEGRO, S.A.P.I. DE C.V.

Plaintiff,

-against-

ALP ERCIL; ALTERNA CAPITAL PARTNERS,
LLC; AMA CAPITAL PARTNERS, LLC; ANDRES
CONSTANTIN ANTONIUS-GONZÁLEZ; ASIA
RESEARCH AND CAPITAL MANAGEMENT LTD.;
CQS (UK) LLP; FINTECH ADVISORY, INC.;
DEUTSCHE BANK MEXICO, S.A., INSTITUCIÓN
DE BANCA MÚLTIPLE; GARCÍA GONZÁLEZ Y
BARRADAS ABOGADOS, S.C.; GHIL
INVESTMENTS (EUROPE) LTD.; JOHN
FREDRIKSEN; KRISTAN BODDEN; MARITIME
FINANCE COMPANY LTD.; NOEL BLAIR
HUNTER COCHRANE, JR; ORO NEGRO PRIMUS
PTE., LTD.; ORO NEGRO LAURUS PTE., LTD.;

Chapter 15

Case No. 18-11094 (SCC) (Jointly
Administered)

Adv. Pro. No. 19-1294(SCC)

ORO NEGRO FORTIUS PTE., LTD.; ORO NEGRO
DECUS PTE., LTD.; ORO NEGRO IMPETUS PTE.,
LTD.; PAUL MATISON LEAND, JR.; ROGER
ALAN BARTLETT; ROGER ARNOLD HANCOCK;
SEADRILL LIMITED; SHIP FINANCE
INTERNATIONAL LTD.; and DOES 1-100

Defendants.

NOTICE AND MOTION TO DISMISS COMPLAINT

PLEASE TAKE NOTICE THAT, upon the accompanying Defendants' Memorandum of Law in Support of Their Motion to Dismiss, the Declaration of William A. Clareman and the exhibits thereto, and the Declaration of Rodrigo Zamora and the exhibits thereto, and all pleadings and proceedings heretofore had before this Court, Defendants Alterna Capital Partners, LLC, AMA Capital Partners, LLC, Maritime Finance Company Ltd., Kristan Bodden, Paul Matison Leand, Jr., Asia Research and Capital Management, Ltd., CQS (UK), Alp Ercil, GHL Investments (Europe) Ltd., and Ship Finance Company, Ltd. (the "Ad Hoc Defendants"),¹ by and through their undersigned counsel, will move before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, in Courtroom 623 of the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York, 10004, at a date and time to be determined by the Court, pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(3), and 12(b)(6), for the entry of an Order (i) dismissing the Complaint in its entirety, and (ii) granting such other and further relief as this Court may deem just and proper. (Hereinafter, the "Motion.")

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be in writing, must conform to the Federal Rules of Bankruptcy Procedure (the "Bankruptcy

¹ Asia Research and Capital Management, Ltd., CQS (UK), Alp Ercil, GHL Investments (Europe) Ltd., and Ship Finance Company, Ltd., (together, the "Foreign Defendants") object to personal jurisdiction and have filed a Motion to Dismiss the Complaint under Rule 12(b)(2) of the Federal Rules of Civil Procedure, filed contemporaneously herewith.

Rules”) and the Local Rules of the Bankruptcy Court for the Southern District of New York, must set forth the name of the objecting party, the basis for the objection and the specific grounds therefore, and must be filed with the Bankruptcy Court, by no later than **October 25, 2019**, and any objection must further be served upon (i) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019, Attn: Andrew N. Rosenberg, Esq., Aidan Synnott, Esq., William A. Clareman, Esq., and Claudia Tobler, Esq., attorneys for Ad Hoc Defendants; (ii) Quinn Emanuel Urquhart & Sullivan, LLP, 1300 I Street NW, Washington, D.C., Attn: Juan P. Morillo, Esq., attorney for Plaintiffs; and (iii) those parties who have filed a notice of appearance in the above referenced adversary proceeding.

PLEASE TAKE FURTHER NOTICE, that a hearing will be held with respect to the Motion on a date and at a time to be determined by the Court.

[signature page follows]

Dated: August 26, 2019
New York, New York

PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP

/s/ William A. Clareman

Andrew N. Rosenberg
Aidan Synnott
William A. Clareman
Claudia Tobler
Christopher Hopkins
Crystal Johnson

1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
arosenberg@paulweiss.com
asynnott@paulweiss.com
wclareman@paulweiss.com
ctobler@paulweiss.com
chopkins@paulweiss.com
cjohnson@paulweiss.com

Counsel for the Ad Hoc Defendants